REMARKS

Claims 1-11, 13-29 and 31-37 are pending in the present application. In the present amendment, Applicant amends claims 1, 11, 16, 29, 34, 35, 36 and 37 and traverses the rejections.

In the present office action, claims 1-4, 7, 16-19, and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ghosh (US 5,881,363) in view of Myceynek (US 6,246,431).

Claims 1, 5, 6, 8, 11-16, 20, 22-26, and 29-33 are rejected under 35 U.S.C. §103(a) as being unpatentable over Zhou et al. (11th IEEE Workshop on Statistical Signal Processing) in view of Myceynek

Claims 11, 29, and 34-37 are rejected under 35 U.S.C §103(a) as being unpatentable over Saito (EP 1 063784) in view of Mycenek.

Finally, claims 9, 10, 27, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ghosh in view of Chung (US 4,995,057).

Applicant amends independent claims 1, 11, 16, 29, 34, 35, 36, and 37 to add the limitation that the common pilot transmission is on a separate channel from that of the pre-coded data. Applicant's specification as originally filed describes embodiments where the pilot channel is separate from the data channel (paragraph [1029]). Furthermore, paragraph [1029] defines channels as separated by frequency division, time division, and code division, among other means. Therefore, the amendment does not constitute new matter.

Mycynek adds a "pilot signal" to the same channel as the pre-coded data as is clearly seen in Figure 1. Mycynek transmits a continuous analog video signal using vestigial sideband modulation (VSB), which necessarily combines the continuous pre-coded video signal and the continuous pilot and transmits the combined signal on a single continuous frequency channel. Therefore, Mycenek reference cannot be added to Ghosh, Zhou, or Saito to result in a combination where a common pilot signal is sent on a separate channel from the pre-coded data as recited in Applicant's independent claims 1, 11, 16, 29, 34, 35, 36, and 37. Furthermore, all of the dependent claims are patentable since they include all limitations of these independent allowable claims.

Furthermore, Ghosh in view of Chung does not teach or suggest transmission of reference data on a pilot channel separate from that of the pre-coded data. Because dependent claims 9, 10, 27, and 28 include this limitation from their base claims, they are patentable over Ghosh in view of Chung.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application is earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

Dated: _____02/11/2004_____   By: _____
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